



City of Riverside
Personnel Policy and Procedure Manual

Approved:

Personnel Director

City Manager

Number: III-5 Effective Date: 5/92

SUBJECT: GRIEVANCE PROCEDURE FOR FIRE AND POLICE UNIT EMPLOYEES

PURPOSE:

To provide regular public safety employees with an orderly procedure for processing a grievance. The current M.O.U. for the bargaining unit should be referenced as to specific language.

DEFINITION:

A grievance is an allegation by an employee that the employee has been adversely affected by a violation, misinterpretation, or misapplication of the specific written provisions of a Memorandum of Understanding, the City's salary and fringe benefit resolutions, or the City's written personnel policies and procedures.

POLICY:

Regular employees in the Fire and Fire Management and Police and Police Management Units shall use the hereinafter prescribed procedure for grievances arising out of the administration of ordinances or regulations dealing with personnel, salary, or other benefits, any alleged improper treatment of an employee, or any alleged violation of commonly accepted safety practices and procedures.

1. Representation - An employee may be represented at all stages of the grievance procedure by himself/ herself or, at his/her option, by a representative.

In this grievance procedure, any reference to grievant means grievant, his/her representative, and/or a bargaining unit.

2. Time Limits - The time limits herein are maximum time limits; however, time limits may be extended by mutual agreement.

In the event the grievant fails to meet a time limit, such failure shall constitute a waiver of the grievance.

In the event the City fails to meet a time limit, such failure shall allow the grievant to proceed to the next level of the grievance procedure.

3. Arbitration Costs and Selection - The cost of the hearing officer/arbitrator shall be borne equally by the City and the Association. If the parties are unable to agree upon a hearing officer or arbitrator, hearing officers and arbitrators shall be selected from a panel submitted by the California State Conciliation Service; each party shall alternately strike names until there is one remaining.

PROCEDURE:

Responsibility	Action
Department, Grievant	1. <u>Informal Step:</u> As a general policy, attempts shall be made to ascertain all facts and adjust all grievances on an informal basis between the grievant and a supervisor in the chain of command up to and including the Division Head. Presentation of this grievance shall be made within ten (10) working days of the incident causing the grievance.
Grievant	2. <u>Step One:</u> If the grievance is not adjusted to the satisfaction of the grievant within five (5) working days after presentation of the grievance, the grievant may submit the grievance in writing to the department head within the next ten (10) working days.
Department Head	3. Meets with the grievant within five (5) working days of receipt of the written grievance and communicates a decision to the grievant within five (5) working days after the meeting.
Grievant	4. <u>Step Two:</u> If the grievant is not satisfied with the decision of the department head, the grievant may, within five (5) working days after receipt of the department head's decision, submit in writing the grievance and request for a hearing to the Assistant City Manager for.

Hearing Officer

5. Hears case and makes recommendation according to the type of grievance.
 - a. Non-disciplinary grievances: Heard by a hearing officer who shall make advisory recommendations to the City Manager. The City Manager's decision shall be final.
 - b. Disciplinary grievances for regular employees who are suspended for ten (10) days or more (three (3) shifts or more for Fire Department personnel assigned to work more than 40 hours per week), are demoted in rank, or are terminated. Appeals to a hearing officer whose decision is final. Either party may seek review of the hearing officer's decision pursuant to Code of Civil Procedure Section 1094.5.
 - c. Other disciplinary grievances for employees who receive discipline other than that which is indicated in b. The matter may be appealed to binding grievance arbitration. The arbitrator's decision and award shall be final and binding on the parties and may be reviewed only pursuant to Code of Civil Procedure Section 1285 et seq.